

SPECIAL ORDER NO. 38

July 23, 2009

**SUBJECT: INVESTIGATIONS INVOLVING HAZARDOUS MATERIALS -
 REVISED**

PURPOSE: Due to Department reorganization and current mission objectives, Emergency Services Division (ESD) and Gang and Narcotics Division (GND) have revised the procedures regarding investigations involving hazardous materials.

PROCEDURE:

I. INVESTIGATIONS INVOLVING HAZARDOUS MATERIALS.

A. Definition. The term "hazardous material" shall mean any chemical, chemical mixture, or contaminant that is toxic, corrosive, volatile, reactive, explosive, or flammable and has the capacity of inducing great bodily injury or illness, or that has been determined to be capable of posing an unreasonable risk to health, safety, or property. Hazardous materials include all chemical, biological, and radiological substances, including those also referred to as Weapons of Mass Destruction (WMD), whether accidentally or intentionally released.

B. Preliminary Investigations of Incidents Involving or Potentially Involving Hazardous Materials. An employee becoming aware of the actual or suspected presence of a hazardous material that has been seized or discovered as a result of police action shall immediately isolate the area/material and initiate the following:

- * If the incident is dynamic, meaning the product has been released or there are injuries or complaints of injuries as a result of exposure, officers shall request the Fire Department as well as Hazardous Materials Unit (HMU), Emergency Services Division (ESD). The product shall be treated as an unknown hazard until analyzed and categorized by hazardous materials technicians from HMU and/or the Fire Department; or,
- * If the incident is static, meaning the product has not breeched its containment vessel or does not outwardly appear to present an immediate

public safety hazard, officers shall request HMU, ESD. All materials shall be treated as an unknown hazard until analyzed and categorized by hazardous material technicians from HMU.

Note: After normal business hours, notification shall be made to Real Time Analysis and Critical Response (RACR) Division.

C. Handling. When notified of a seizure of a suspected hazardous material, a specialist from HMU shall respond to the scene and:

- * Determine the hazard posed by the material; and,
- * Implement safeguards appropriate for the handling of the chemical.

Note: No attempt shall be made to neutralize, move, or transport any hazardous material except under the direction of an HMU technician.

Responding HMU technicians wearing appropriate Personal Protective Equipment (PPE) shall:

- * Identify and designate control zones;
- * Determine the hazard and categorize the materials involved;
- * Mitigate the threat posed to life, environment, and property;
- * Collect, document, and book evidence;
- * When conditions permit, obtain a sample and photograph the gross amount of the material; and,
- * Arrange for the disposal of any quantity of the material that cannot be safely stored in available facilities.

D. Booking. Employees booking a sample of a hazardous material shall include in the Property Report, Form 10.01.00, the gross amount and disposition of the chemical or agent seized. Proper packaging and labeling of hazardous chemical evidence prior to booking, is performed by Scientific Investigation Division (SID), Hazardous Chemical Team.

II. INVESTIGATIONS INVOLVING ILLICIT LABORATORIES.

- A. Definition.** The term "illicit laboratory" shall mean the location of equipment and/or material(s) used to produce illegal narcotics as well as chemical, biological, and radiological weapons or agents.
- B. Preliminary Investigations of Incidents Involving Illicit Laboratories.** Illicit laboratories are capable of producing chemical and biological agents or weapons, as well as narcotics, and may appear similar.

Officers conducting a preliminary investigation of an illicit laboratory containing hazardous materials, chemicals, or when entry is made into a location not previously known to contain an illicit laboratory and such a laboratory is discovered, officers shall immediately exit and secure the perimeter of the location, evacuate adjacent inhabited dwellings, request that a field supervisor respond to the scene, and make appropriate notification.

Officers shall not enter an illicit laboratory to apprehend suspects or to prevent the destruction of evidence, absent the authorization of the Illicit Laboratory Squad or the HMU, ESD.

C. Notifications.

- * If the incident is dynamic, officers shall isolate the area/materials and request the Fire Department as well as hazardous materials technicians from HMU, ESD; and,
- * If the incident is static and/or the purpose of the material or production is unknown, officers shall request HMU, ESD; and,
- * If it is determined the purpose of the illicit laboratory is for the production of narcotics, the Illicit Laboratory Squad, GND, shall be notified.

Note: After normal business hours, notification shall be made to RACR.

D. Investigative Responsibility. The investigative responsibility of clandestine narcotic laboratories is the Illicit Laboratory Squad, GND.

Incidents involving hazardous materials and other suspected illicit laboratories or those whose purpose is unknown are the investigative responsibility of the HMU, ESD, and investigative personnel of Major Crimes Division.


All investigative entities responding to and/or participating in any illicit laboratory investigation shall document their degree of participation prior to leaving the investigative scene. The participation shall be documented on an Investigative Action/Statement Form, Form 03.11.20.

Note: Preliminary response and/or investigations involving or potentially involving hazardous materials shall be performed in accordance with the Code of Federal Regulations 1910.120(q) and Title 8, California Code of Regulations 5192(q).

Exception: Procedures governing hazardous substances, which become a police problem as a result of a traffic collision, are not affected (4/430.10).

AMENDMENT: This Order amends Section 4/212.49 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.



WILLIAM J. BRATTON
Chief of Police

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